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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, et al.,  
Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as  
Secretary of Homeland Security, UNITED  
STATES DEPARTMENT OF HOMELAND  
SECURITY, and UNITED STATES OF  
AMERICA,

Defendants.

Case No. 3:25-cv-05687-TLT

**DECLARATION OF AHILAN T.  
ARULANANTHAM IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

[Filed concurrently with Motion, supporting  
Attorney Declarations of Emilou H. MacLean,  
Jessica Karp Bansal, and Erik Crew; and  
[Proposed] Order]

Assigned to: Hon. Trina L Thompson

Date: September 16, 2025  
Time: 2:00 p.m.  
Place: Courtroom 9

Complaint Filed: July 7, 2025

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**DECLARATION OF AHILAN T. ARULANANTHAM IN SUPPORT OF PLAINTIFFS'****MOTION FOR CLASS CERTIFICATION**

I, Ahilan T. Arulanantham, hereby declare:

1. I am an attorney at law licensed to practice in the State of California, and the Faculty  
 2 Co-Director of the UCLA School of Law's Center for Immigration Law and Policy ("CILP"). I am  
 3 counsel of record for Plaintiffs in this action. I make this declaration in support of Plaintiff's Motion  
 4 for Class Certification. I have personal knowledge of the facts set forth herein, and if called upon to  
 5 testify as a witness thereto, I could and would competently do so under oath.

6 2. I am a member in good standing of the Bar of the State of California. I am admitted to  
 7 practice before several federal courts, including the United States Supreme Court, the Ninth Circuit,  
 8 and this Court.

9 3. I graduated from Yale Law School in 1999, after which I served as a law clerk to the  
 10 Honorable Stephen Reinhardt of the United States Court of Appeals for the Ninth Circuit. I then  
 11 worked for two years as an Equal Justice Works (formerly "NAPIL") Fellow and attorney for the  
 12 ACLU Immigrants' Rights Project in New York, practiced as an assistant Federal Public Defender in  
 13 the Western District of Texas for two years, and then joined the ACLU of Southern California as a  
 14 staff attorney beginning in June 2004. In 2011, I became the Deputy Legal Director at the ACLU of  
 15 Southern California. In 2012, I also became a Senior Staff Attorney at the ACLU IRP. In 2016, I  
 16 became the Advocacy and Legal Director at the ACLU of Southern California.

17 4. In 2021, I left the ACLU to join the law faculty at UCLA School of Law, where I  
 18 now serve as Professor from Practice and Faculty Co-Director of the Center for Immigration Law  
 19 and Policy.

20 5. I have extensive experience working on cases involving the civil rights of  
 21 immigrants. I was lead counsel or co-lead counsel in the following cases involving individual  
 22 litigants whose cases raised complex statutory and/or constitutional issues: *Nadarajah v. Gonzales*,  
 23 443 F.3d 1069 (9th Cir. 2006) (granting habeas petition and ordering release of refugee detained  
 24 indefinitely as a national security threat); *Nadarajah v. Holder*, 569 F.3d 906 (9th Cir. 2009)  
 25 (awarding fees at market rates for habeas litigation); *Diouf v. Mukasey (Diouf I)*, 542 F.3d 1222 (9th  
 26 Cir. 2008) (awarding fees at market rates for habeas litigation); *Diouf v. Mukasey (Diouf II)*, 542 F.3d 1222 (9th  
 27 Cir. 2008) (awarding fees at market rates for habeas litigation).

1 Cir. 2008) (establishing right to bond hearing for individuals subject to detention under 8 U.S.C.  
 2 1226(c) if their removal is stayed pending review or remanded for further administrative  
 3 proceedings); *Diouf v. Napolitano (Diouf II)*, 634 F.3d 1081 (9th Cir. 2011) (establishing right to  
 4 bond hearing for individuals detained for more than six months pending review of denied motion to  
 5 reopen); *Perez Cruz v. Barr*, 926 F.3d 1128 (9th Cir. 2019) (affirming motion suppressing evidence  
 6 obtained during worksite raid in removal proceedings, for unlawful seizure). *See also Casas-*  
 7 *Castrillon v. DHS*, 535 F.3d 942 (9th Cir. 2008) (establishing right to bond hearings for individuals  
 8 detained pending petition for review of removal order) (argued as amicus); and *Singh v. Holder*, 638  
 9 F.3d 1196 (9th Cir. 2011) (establishing procedural protections in hearings under Casas) (argued as  
 10 amicus).

11       6. I have also litigated a number of more procedurally-complex cases because they  
 12 involved class actions, mass actions, or otherwise sought relief for large numbers of individuals. I  
 13 was lead counsel or co-lead counsel in the following such cases: *Franco-Gonzales v. Holder*, 767 F.  
 14 Supp. 2d 1034 (C.D. Cal. 2010) (first case establishing a system for identifying individuals with  
 15 serious mental disorders in removal proceedings and ensuring them counsel if they could not  
 16 represent themselves); *Castellano v. Napolitano*, CV 09-2281-PA-VBK (C.D. Cal. 2009) (class  
 17 action challenge to detention conditions at ICE holding facility in Los Angeles) (settled with  
 18 requirements to remedy violations); *NLG v. Chertoff*, CV 08-1000-GW (Shx) (C.D. Cal. 2008) (mass  
 19 action challenge to government policy refusing to allow workers arrested in immigration raid to  
 20 consult with counsel) (settlement eliminated the policy with respect to the workers); *Diouf v.*  
 21 *Chertoff*, CV 07-3977-TJH (Ctx) (C.D. Cal. 2007) (successful class action challenge to  
 22 government's policy of forcibly drugging non-citizens prior to removal); *JEFM v. Lynch*, 837 F.3d  
 23 1026 (9th Cir. 2016) (dismissing class action challenge to government's failure to appoint counsel to  
 24 children in removal proceedings for lack of subject matter jurisdiction); *CJLG v. Barr*, 923 F.3d 622  
 25 (9th Cir. 2019) (en banc) (reversing removal order against unrepresented child, but not addressing  
 26 counsel claim); *see also* 923 F.3d at 629 (Paez, J., concurring) (arguing that due process requires  
 27 appointed counsel for children facing deportation); *Rodriguez v. Robbins*, 804 F.3d 1060 (9th Cir.  
 28 2015) (holding that immigration detainees held for six months while their cases remain pending are

1 entitled to rigorous bond hearings), *rev'd Jennings v. Rodriguez*, 138 S. Ct. 830 (2018) (reversing  
 2 statutory ruling, remanding for consideration of constitutional claims), *Rodriguez v. Marin*, 909 F.3d  
 3 252 (9th Cir. 2018) (remanding to district court but maintaining injunction requiring bond hearings);  
 4 *Rodriguez v. Hayes*, 591 F.3d 1105 (9th Cir. 2010) (holding class certification warranted in action  
 5 challenging prolonged immigration detention without bond hearings); *Ramos v. Nielsen*, 336 F.  
 6 Supp. 3d 1075 (N.D. Cal. 2018) (granting preliminary injunction against termination of Temporary  
 7 Protected Status for over 400,000 immigrants from El Salvador, Haiti, Nicaragua, and Sudan); *Nat'l  
 8 TPS Alliance v. Noem*, No. 3:25-cv-01766-EMC (N.D. Cal. 2025) ("*NTPSA I*") (Venezuelan and  
 9 Haitian TPS holders' challenge to DHS's vacatur and termination of their status).

10       7. In addition to serving as counsel in these and many other cases, I have also served as  
 11 a resource for other non-profit and pro bono attorneys litigating complex immigration cases  
 12 throughout the Ninth Circuit, and in other parts of the country as well, since approximately 2010. I  
 13 have provided advice and editorial assistance to at least dozens of attorneys during this time, and  
 14 shared our briefing in these and other cases on many occasions.

15       8. I was named California Lawyer of the Year in 2007 in the area of Immigration Law  
 16 for my work in the *Nadarajah* case, and again in 2014 for my work in *Rodriguez*. I have been  
 17 repeatedly named by the Daily Journal as one of the Top 100 most influential lawyers in California  
 18 for my work in the immigrants' rights area. In 2010, I received both the Daniel Levy Award for  
 19 Outstanding Achievement in Immigration Law from the National Immigration Project of the  
 20 National Lawyers' Guild, and also the Arthur C. Helton Human Rights Award by the American  
 21 Immigration Lawyers' Association. In 2014, I and other members of the *Franco* litigation team were  
 22 awarded the American Immigration Lawyers' Association Jack Wasserman Memorial Award for  
 23 Excellence in Litigation in the Field of Immigration Law for our work on *Ramos*.

24       9. In 2016, I received a MacArthur Fellowship (aka a "genius grant") for my litigation  
 25 and advocacy in the immigrants' rights field.

26       10. I have the capacity and specialized skills needed to thoroughly and vigorously litigate  
 27 the claims in this case and properly represent Plaintiffs and the proposed classes. Alongside our  
 28 proposed class co-counsel, I and my colleagues at CILP intend to commit all necessary resources to

do so. If appointed class counsel, I will ensure that my co-counsel and I zealously represent the interests of the classes to the best of our collective ability.

11. I am not aware of any conflict among potential class members in this case.

12. I am not aware of any conflicts between myself or other attorneys at CILP and any members of the potential class that would prevent me or others at CILP from providing zealous representation to the class.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct to the best of my knowledge. Executed on August 15, 2025, in Los Angeles, California.

Ahilan T. Arulanantham

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 15, 2025, I caused the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

## NATIONAL DAY LABORER ORGANIZING NETWORK

/s/ Jessica Karp Bansal  
Jessica Karp Bansal  
Lauren Michel Wilfong (*Pro Hac Vice*)